



**ACTION ITEM # 0 6**


**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF SOCIAL SERVICES**  
*Office of the Commissioner*

S. Duke Storen  
COMMISSIONER

June 20, 2018

**MEMORANDUM**

**TO:** Members, State Board of Social Services

**FROM:** S. Duke Storen 

**REGULATION:** 22VAC40-601, Supplemental Nutrition Assistance Program

**ACTION:** Withdraw Action

The State Board of Social Services (Board) approved a Notice of Intended Regulatory Action for 22VAC40-601, Supplemental Nutrition Assistance Program (SNAP), in June 2011. The intent of the action was to revise the method used to count the income of ineligible immigrants toward eligibility of eligible household members for SNAP benefits. The Board approved a proposed regulation in February 2012, and a final regulation in April 2014. The final regulation is pending with the Secretary of Health and Human Resources.

Given the consistent feedback from two administrations and considerable time the action has pended, I request that the action be withdrawn. This would include the Notice of Intended Regulatory Action, as well as the proposed and final actions.

If you have questions concerning this requested regulatory action, please contact our regulatory coordinator, Karin Clark, at (804) 726-7017 or [karin.clark@dss.virginia.gov](mailto:karin.clark@dss.virginia.gov).

SDS:kc  
Attachments

DEPARTMENT OF SOCIAL SERVICES

Revise Guidelines for Counting Income Toward SNAP Eligibility

(Approved by State Board of Social Services 4/17/2014)

**22VAC40-601-70. Income calculation method of ineligible [ ~~immigrants~~ aliens ].**

The income [ ~~and resources~~ ] of an ineligible alien shall count in [ ~~their~~ its ] entirety, and the ineligible alien's deductible expenses shall continue to apply to the remaining household members. The requirements of this section do not apply to those aliens described in 7 CFR 273.11(c)(3)(i)(A) through (G).